

**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION**
(37 CFR 1.63)

☒ Declaration Submitted with Initial Filing **OR** ☐ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket No.	491442002000
First Named Inventor	Weimin TCHEN et al.
COMPLETE IF KNOWN	
Application Number	Unknown
Filing Date	Concurrently herewith
Art Unit	Unknown
Examiner Name	Unknown

AS A BELOW-NAMED INVENTOR, I HEREBY DECLARE THAT:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **METHOD OF WRITING NON-VOLATILE MEMORY THAT AVOIDS CORRUPTING THE VITAL INITIALIZATION CODE**, the specification of which is attached hereto unless the following box is checked:

☐ was filed on _____ as United States Application Serial No. or PCT International Application No. _____ and was amended on * (if applicable).

I HEREBY STATE THAT I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

I acknowledge the duty to disclose information which is material to the patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Application No.	Country	Date of Filing (day/month/year)	Priority Claimed?
*			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Serial No.	Filing Date

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Serial No.	Filing Date	Status
*		<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned

Please direct all communications to:

Glenn M. Kubota
Morrison & Foerster LLP
555 West Fifth Street
Suite 3500
Los Angeles, California 90013-1024

Please direct all telephone calls to Glenn M. Kubota at (213) 892-5752.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

3/24/2004
Date

Weimin Tchen
Name:

Residence: Weimin TCHEN
c/o Emulex Design & Manufacturing Corporation, 3333 Susan Street,
Costa Mesa, CA 92626, USA

Citizenship: USA

Post Office Address: Same as residence

3/24/2004
Date

Marcia Ann Kasilowski
Name:

Residence: Marcia Ann KASILOWSKI
c/o Emulex Design & Manufacturing Corporation, 3333 Susan Street,
Costa Mesa, CA 92626, USA

Citizenship: USA

Post Office Address: Same as residence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Weimin TCHEN et al.

Serial No.: Unknown

Filing Date: Concurrently herewith

For: METHOD OF WRITING NON-
VOLATILE MEMORY THAT AVOIDS
CORRUPTING THE VITAL
INITIALIZING CODE

Examiner: Unknown

Group Art Unit: Unknown

**PROSECUTION BY ASSIGNEE AND POWER OF ATTORNEY
UNDER 37 C.F.R. § 3.71**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

EMULEX DESIGN & MANUFACTURING CORPORATION, a corporation of the State of Delaware, the assignee of the entire right, title and interest in this patent application, under 37 C.F.R. § 3.71 hereby appoints:

Lisa A. Amii (Reg No. 48,199)
Mehran Arjomand (Reg No. 48,231)
Vincent J. Belusko (Reg No. 30,820)
Kimberly A. Bolin (Reg No. 44,546)
Nicholas Buffinger (Reg No. 39,124)
Peng Chen (Reg No. 43,543)
Thomas E. Ciotti (Reg No. 21,013)
Raj S. Davé (Reg No. 42,465)
David L. Devernøe (Reg No. 50,128)
Christopher B. Eide (Reg No. 48,375)
David L. Fehrman (Reg No. 28,600)
Deborah S. Gladstein (Reg No. 43,636)
Bruce D. Grant (Reg No. 47,608)

Randolph Ted Apple (Reg No. 36,429)
Shantanu Basu (Reg No. 43,318)
Jonathan Bockman (Reg No. 45,640)
Barry E. Bretschneider (Reg No. 28,055)
Robert K. Cerpa (Reg No. 39,933)
Alex Chartove (Reg No. 31,942)
Cara M. Coburn (Reg No. 46,631)
Peter J. Davis (Reg No. 36,119)
Stephen C. Durant (Reg No. 31,506)
Carolyn A. Favorito (Reg No. 39,183)
Hector Gallegos (Reg No. 40,614)
Debra J. Glaister (Reg No. 33,888)
Carol M. Gruppi (Reg No. 37,341)

Alicia J. Hager (Reg No. 44,140)
Laurie L. Hill (Reg No. 51,804)
Alan S. Hodes (Reg No. 38,185)
Arthur S. Hsieh (Reg No. 48,247)
Wayne Jaeschke, Jr. (Reg No. 38,503)
Ararat Kapouytian (Reg No. 40,044)
Cameron A. King (Reg No. 41,897)
Glenn Kubota (Reg No. 44,197)
Otis Littlefield (Reg No. 48,751)
Michael J. Mauriel (Reg No. 44,226)
Robert S. McArthur (Reg No. 45,674)
Scott C. Moore (Reg No. 52,047)
Kate H. Murashige (Reg No. 29,959)
Catherine M. Polizzi (Reg No. 40,130)
James Remenick (Reg No. 36,902)
Robert E. Scheid (Reg No. 42,126)
Rebecca Shortle (Reg No. 47,083)
Kevin R. Spivak (Reg No. 43,148)
Lorna L. Tanner (Reg No. 50,782)
Thomas L. Treffert (Reg No. P48,279)
Michael R. Ward (Reg No. 38,651)
Todd W. Wight (Reg No. 45,218)
Timothy A. Worrall (Reg No. P54,552)
David T. Yang (Reg No. 44,415)
Karen R. Zachow (Reg No. 46,332)

Johney U. Han (Reg No. 45,565)
Douglas G. Hodder (Reg No. 41,840)
Charles D. Holland (Reg No. 35,196)
Jill A. Jacobson (Reg No. 40,030)
Parisa Jorjani (Reg No. 46,813)
Richard C. Kim (Reg No. 40,046)
Norman R. Klivans (Reg No. 33,003)
Kawai Lau (Reg No. 44,461)
Hugh H. Matsubayashi (Reg No. 43,779)
Mika Mayer (Reg No. 47,777)
Gladys H. Monroy (Reg No. 32,430)
Philip A. Morin (Reg No. 45,926)
Martin M. Noonan (Reg No. 44,264)
Philip Reilly (Reg No. 41,415)
Robert Saltzberg (Reg No. 36,910)
Debra A. Shetka (Reg No. 33,309)
J. David Smith (Reg No. 39,839)
Gerald F. Swiss (Reg No. 30,113)
Shannon Thomas (Reg No. 52,285)
Brenda J. Wallach (Reg No. 45,193)
E. Thomas Wheelock (Reg No. 28,825)
Eric H. Witt (Reg No. 44,408)
Bryan H. Wyman (Reg No. 48,049)
Peter J. Yim (Reg No. 44,417)
Jie Zhou (Reg No. 52,395)

all of Morrison & Foerster LLP, 555 West Fifth Street, Suite 3500, Los Angeles, California 90013-1024, telephone (213) 892-5200, to prosecute this application and transact all matters in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorneys in accordance with the provisions of 37 C.F.R. § 3.71 provided that if any one of said attorneys or agents ceases being affiliated with the law firm of Morrison & Foerster LLP as partner, employee or of counsel, such attorney's or agent's appointment as attorney or agent and all powers derived therefrom shall terminate on the date such attorney or agent ceases being so affiliated;

with full power of substitution and revocation in Randall G. Wick (Reg. No. 29,712), Vice President and General Counsel, of Emulex Design & Manufacturing Corporation, 3333 Susan Street, Costa Mesa, California 92626.

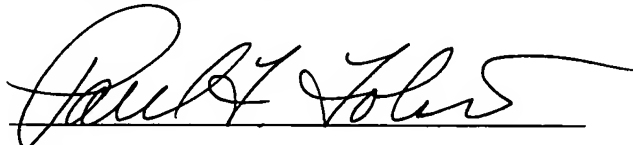
Please direct all written communications relative to this application to:

Glenn M. Kubota
Morrison & Foerster LLP
555 West Fifth Street
Suite 3500
Los Angeles, California 90013-1024

Please direct all telephone communications to Glenn M. Kubota at 213-892-5752.

EMULEX DESIGN & MANUFACTURING
CORPORATION
a Delaware corporation

Dated: MAR 29 2004

A handwritten signature in dark ink, appearing to read "Paul F. Folino", is written over a horizontal line.

Paul F. Folino
Chairman and Chief Executive Officer
3333 Susan Street
Costa Mesa, California 92626, USA